



Institutionalizing Mixed Panels – The Brussels Mixed Legislative Committees

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Note: We have included two perspectives on the Brussels Mixed Legislative Committees; one from the civil servant side, and the other from the operational. In this piece, Louise Humblet and Cécile Molle describe their experiences as members of Particitiz, the non-governmental organization responsible for the operations and implementation of the Committees.

Introduction

Over the last few decades, we have seen the emergence of a deliberative wave, which has resulted in the multiplication of participatory processes throughout the world. These participatory processes are mainly made up of citizens, drawn by lot or not, who are given the opportunity to express their views on a specific public policy, with the aim of making these policies more inclusive.

More recently, we have seen the emergence of a new form of participatory process in which citizens are mixed with elected officials, political representatives, who deliberate with them.

This is the case of the Constitutional assembly in Ireland that was set up in 2012 and ended in 2014. The purpose of this assembly was to consider a number of possible changes to the Constitution and make recommendations. This assembly was composed of 100 participants, including 66 randomly selected Irish citizens, 33 members of the

Dáil and Seanad as well as a representative of each political party in the Northern Ireland Assembly.

In this chapter, we will focus in particular on the case of the mixed committees institutionalized in the Brussels regional parliament, which have already had 6 editions between 2021 and 2023 and where Particitiz was responsible for their organization, facilitation and implementation.

This new approach raises new questions in the world of participatory and deliberative democracy: What's the point of involving elected representatives in this kind of process? How can this type of process be set up? What are the points to bear in mind? What are the risks? Is there any real added value?

In this paper, we'll try to provide some answers to show that it can be a good idea to, sometimes, mix citizens and elected politicians. However, these processes need to be carefully designed in order to ultimately improve the quality of deliberative democracy in our societies.

How does it / could it work?

The concept of the mixed committees of the Brussels regional parliament is the following: 45 citizens drawn by lot, mixed with 15 parliamentarians to form a mixed panel of 60 participants. Over the course of 6 meetings, they gather information and deliberate together on a given topic in order to formulate recommendations.



Launched in April 2021 and finished in June 2023, the process has already had six editions on a variety of topics, including 5G, the role of citizens in times of crisis, the place of biodiversity in the city, homelessness and noise pollution in the city.

A Vademecum, established by a working group made up of MPs, political group collaborators and academic experts in participatory democracy, provided a framework, guidelines and objectives. It fixed the process to 6 encounters which can be resumed in [CM5] an opening evening, an information day, a deliberative weekend, a day of recommendation, a half-day presentation of the report and additional online information meetings. The method for selecting the experts to be invited to the deliberative commissions was also determined, as was the process for selecting a topic and formulating the central question.

Other examples of mixed panels exist throughout the world, and we encourage our colleagues who have experienced similar processes to share their experiences so as to enable a broader analysis of mixed panels.

What are the potential benefits of “mixed” deliberative committees?

The first benefit of a mixed panel is to reduce the gap between elected politicians and citizens. By participating jointly in a deliberative exercise, all participants gain a better understanding of each other (citizens towards elected politicians, but also vice versa).

A mixed panel also has educational virtues, for both citizens and elected politicians. For citizens, it enables them to discover parliamentary work and, more generally, the way politics works.

On the parliamentary side, this exercise enables them to become socialized to the practices of participatory and deliberative democracy. We observe a real difference in the degree of involvement/motivation among elected representatives who had taken part in several editions of the mixed committees. Moreover, they could implement new ways of working and deliberating that they practiced during a mixed panel in their daily work, which can improve the existing parliamentary culture.

Lastly, an important political benefit is that these mixed panels can sometimes unblock polarizing issues within a parliament (as in Ireland), or provide elected politicians with innovative solutions directly from citizens.

What are the disadvantages/risks of “mixed” committees?

Mixing citizens and elected representatives is however not without risks. It creates an environment where politicians have many levers to influence citizens (willingly or not) so those processes need to be carefully designed to reduce those risks and reach the full potential of mixed panels.

Firstly, the instrumentalization of the process by elected representatives. Whether through “participation washing”, when they use their participation in these processes as a means of communication, or the manipulation of participating citizens by politicians. It is important to stress that during deliberation, it is often the elected representatives who have the last word/who manage to influence citizens the most.

Secondly, it has to be said that elected politicians, by virtue of their functions and political habits, are more at ease in the exercise of deliberation than most citizens. Being



politicians, they know the “rules of the game” and the codes of parliament/government, and have no problem speaking in public and affirming their opinions. As a result, they tend to monopolize the floor, taking up more space than citizens, especially when sensitive/important/polarizing issues are raised.

Thirdly, a mixed panel that is institutionalized within an institution is less open to creativity and creative methods of deliberation. These methods however are an important way of including citizens in deliberation. Constraining creativity reinforces the imbalance between citizens and politicians.

If we take the example of the mixed committees in Brussels, as the process is enshrined in the rules of a Parliament, the format results is pre-defined (recommendations in a specific format with parliamentary language, etc.). The parliamentary framework also reduces the creativity that can be brought to the deliberative and recommendation-generating moments through facilitation techniques.

Finally, in the more specific case of Belgium, one of the disadvantages of mixed panels is that parliamentary and citizen votes do not carry the same weight and are not conducted in the same way. Even though in recent months there has been increasing debate about the decision-making power of citizens in such processes, there is still a long way to go because of the legislative complexity involved. In Belgium, for example, such a development would require a change to the country's constitution. This current situation generates frustration on the part of the citizens involved and makes it more difficult for them to take ownership of the results of these participatory mechanisms.

What is the evidence from practice?

The first evidence from practice is the impact of political will on the effective institutionalization of the process. Theoretically, the process is institutionalized as it is enshrined in the parliamentary regulations. However, we have observed that since the beginning of the process, some political parties (far-right and far-left parties) have refused to take part in the work of the mixed committees because, according to them, the process was a mockery of democracy and follow-up was not considered sufficiently serious to guarantee satisfactory results. Other political parties have threatened to boycott the process over the course of the various processes according to the political reality at the time (a polarizing topic, a clash between the opposition and the majority, the desire of one political party to undermine another, etc.). Since the process is subject to the will of political parties to participate or not, to work efficiently or to put obstacles in the way, we can see the limits of institutionalization. It is not enough to embed a process into the internal regulations of an institution, but we need a shift of mentality of those who work within this institution. Today, we observe that although citizens are ready to fully participate and take their place within an institutionalized process, there is still a lack of maturity on the parliamentarians' part.

A second element we see is the role of elected officials, which is not defined enough at this stage. It is vital to clarify their role at the beginning and to be explicit about what is expected of them during these mixed processes. We have seen politicians interpret differently the way they were participating, taking on different roles (some took the lead, others positioned themselves as “experts” providing



information, and some political parties even gave their representatives instructions on how they should position themselves on certain key issues). One of the lessons we've learned from this observation is that politicians' time in the process should be limited, and that there should be times when only citizens are involved, and other times when elected officials are also present.

Institutionalization also allows for administrative mechanisms to be centralized and systematized. Indeed, human resources capacity has been increased within the administration of the parliament for the mixed committees and, more broadly, for deliberative democracy. Moreover, we see a significant transfer of skills between the operator and the civil servant in charge of the process. Today, the parliament and the civil servants in charge of the mixed committees have acquired the necessary skills to design the next iterations of the deliberative commissions, with minimal input from an external operator. This could free up the budget allocated to design and dedicate it to professional facilitation in order to improve the process.

In addition to this group of dedicated civil servants who run the process, it would also be important to provide more resources for the follow-up phase, where civil servants would be responsible for carefully monitoring the recommendations in order to report on their status of implementation. Indeed, this phase requires long-term resources, as the political implementation process can take a very long time.

What are the requirements for success?

Based on our experience, we can highlight a number of elements that are crucial to the success of a Mixed Panel.


Facilitation: neutral facilitation is crucial to facilitating the deliberations and ensuring a fair distribution of the word between elected representatives and citizens.

A small number of parliamentarians: to mitigate the various risks associated with the presence of parliamentarians (explained above), it is essential to have a smaller number of elected representatives than citizens. For the mixed committees of the Brussels Parliament, the 1/3, 2/3 ratio is used. For the Constitutional Convention in Ireland, out of 100 participants, 30 were members of the parliaments, 4 were representatives of the northern Ireland political parties and 66 were randomly selected citizens.

Special attention to inclusion of citizens: as in all participatory processes (and more particularly those based on a stratified drawing of lots), particular attention must be paid to the inclusion of participants. Indeed, citizens experience more obstacles for participating to these processes in general. In the case of mixed panels, over and above traditional means of inclusion such as the remunerating citizens or setting up a day-care center for children, it is important to provide means of inclusion that enable citizens to participate more fully (training in deliberation, speaking out, etc.).

Well-defined roles for parliamentarians: a clear role for elected politicians (inequality from the outset in terms of information, speaking facilities, venues, etc.). So it's very important to clearly define a role/posture for them.

An independent advisory committee: to guarantee impartiality in setting up and running the process, it is important to set up an independent advisory committee. Made up of people from the academic world specialized in democratic issues, as well as specialists in the topic



addressed, the role of this committee is to participate in the formulation of the question that will be at the heart of the deliberations, to choose the experts who will come to provide information on the topic to the participants and ensure a neutral information phase, etc.

Addressing likely objections

A number of arguments come up repeatedly when discussing mixed panels in participatory processes. These arguments are most likely not new to advocates for deliberative processes:

- Citizens are not capable of taking important decisions or dealing with complex issues.
- Participatory processes (mixed or not) are expensive
- Taking part in such mixed processes is time-consuming for elected representatives
- The results of such processes are not qualitative
- These processes are not useful (not needed/ not well enough done/not sufficiently advanced to be useful - not compulsory,...)

«In Brussels, the Parliament has set up mixed committees made up of citizens chosen by lot and MEPs, with the aim of bringing citizens closer to politics. These committees end up with non-binding recommendations that end up

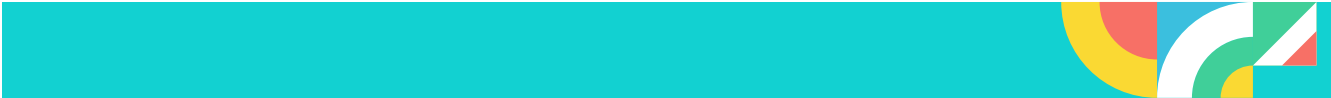
going back to the permanent parliamentary committees. So, in the final analysis, people don't really have any say.” (Quote from the PTB - <https://www.ptb.be/programme/participer-aux-decisions-de-la-societe-de-demain>)

What questions (if any) need more research, practice, and evaluation?

Although the processes are constantly evolving, there are still a number of points that our experience suggests need further development.

Agenda setting (more practice): There is a real need to experiment with the agenda setting phase in a mixed way. There are already several examples of participatory models where citizens are involved in setting the agenda for other panels, such as the climate assemblies in the Brussels region or the Belgian Ostbelgien model.

Follow-up (more research needed): At present, in the case of deliberative committees, citizens are not involved in the follow-up to their recommendations. They are invited between 9 and 12 months after their last meeting so that the Parliament's services can present them with the progress of the panel's findings. This is another element that creates further inequalities between citizens and elected representatives. Although monitoring is the responsibility of the departments, we think it would be beneficial to include citizens in this crucial stage of the process.



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